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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,840	07/18/2003	Scott Brady Rothgeb	13346.0015.NPUS01	4752
26720	7590	09/20/2005	EXAMINER	
LOCKE LIDDELL & SAPP LLP			A, MINH D	
ATTN. DOCKETING			ART UNIT	
600 TRAVIS #3400			PAPER NUMBER	
HOUSTON, TX 77002			2821	

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/622,840

Applicant(s)

ROTHGEB ET AL.

Examiner

Minh D A

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8,10-18 is/are rejected.
- 7) ☐ Claim(s) 7 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lause et al (US 5,633,063) in view of Karlsson et al (US 6,069,586).

Regarding claim 1, Lause discloses a building panel (50), comprising a foam core (56) having a poly-vinyl-chloride foam sheet (PVC) disposed on at least one surface of the foam core (56). See figures 5-6, col.5, lines 25-67 to col.6, lines 1-13.

Lause does not teach that, PVC having a dielectric constant expanded.

However, Karlsson discloses the PVC having a dielectric constant expanded. See col.1, lines 63-67.

It would have been an obvious to one of ordinary skill in the art at the time the invention was made to employ a the PVC having a dielectric constant expanded such as that suggested by Karlsson in the antenna module of Lause in order to measure an electromagnetic signals at the material for antenna and minimize a distorting effect on electromagnetic radiation signals.

Regarding claims 2, 11 and 18, Lause and Karlsson essentially discloses the claimed invention but does not explicitly disclose that interlocking and wherein the

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panels with the curved surfaces have a smaller thickness at edges of the panels than at a center of the panels. It would have been an obvious matter of design choice to employ Lause and Karlsson in any desired such as interlocking and a smaller thickness at edges of the panels than at a center of the panels in order to maximize the usage of his invention, since applicant does not disclose that, all of these limitations can solve any stated problem and for any particular purpose. Therefore, it appears that the invention would not provide any improvement but merely apply the invention in different presentation.

Regarding claim 3, Lause discloses wherein the foam core (56) comprises polystyrene. See col.5, lines 13-35. See col.5, lines 30-41.

Regarding claim 4, Lause and Karlsson disclose the foam core (56) has first and second sides, and wherein a first low-dielectric constant expanded poly-vinyl-chloride foam sheet (30) is disposed on the first side and a second low-dielectric constant expanded poly-vinyl-chloride foam sheet is disposed on the second side. See figures 5-6, col.5, lines 25-67 to col.6, lines 1-13.

Regarding claim 5, Lause discloses the foam core (56) a tongue portion along one edge of the card, and wherein the first and second low-dielectric constant expanded poly-vinyl-chloride foam sheets form a groove portion along another edge of the panel. See figures 5-6.

Regarding claims 6, 8, Lause and Karlsson disclose wherein the low-dielectric constant expanded poly-vinyl-chloride foam sheet (30) is attached on the at least one surface of the foam core (33).

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Regarding claims 10 and 12, Lause discloses an antenna, comprising: a plurality of concealment panels having at least partially composed of an expanded poly-vinyl-chloride foam having a dielectric constant equal; wherein the (smart cards) panels comprise a first sheet of expanded poly-vinyl-chloride foam. See figures 5-6, col.5, lines 25-67 to col.6, lines 1-13.

Regarding claim 13, Lause discloses the panels comprise a foam core (56) disposed on a side of the first sheet of expanded poly-vinyl-chloride foam. See figures 5-6..

Regarding claim 14, Lause discloses wherein the foam core comprises polystyrene. Se figures 5-6.

Regarding claim 15, Lause discloses wherein the panels further comprise a second sheet of expanded poly-vinyl-chloride foam disposed on side of form core opposing the first sheet. See figures 5-6.

Regarding claim 16, Lause discloses wherein the foam core(56) is attached to the first sheet of expanded poly-vinyl-chloride foam by a tape. See figures 5-6.

Regarding claim 17, Lause discloses wherein the concealment panels curved surface by vacuum forming a substantially flat sheet. See figures 5-6.

Allowable Subject Matter

3. Claims 7 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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The following is a statement of reasons for the indication of allowable subject matter:

The prior art does not teach that, wherein the low-dielectric constant expanded poly-vinyl-chloride foam sheet has a thickness of approximately 4 to 10 mm, and wherein the foam core has a thickness of approximately 2-inches or urethane forming a layer between the low-dielectric constant expanded poly-vinyl-chloride foam sheet and the foam core and having a thickness of approximately 3 to 10-mils in dependent claims 7 and 9.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kim et al (US 6,144,344) and Dilley et al. (US 4,914,450) are cited to show an antenna.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Minh A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 –2:30 PM).

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Don Wong, can be reached on (571) 272-1834. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and (703) 872-9319 for final communications.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (571) 272-1553.

Examiner

Minh A

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9/15/05



WILSON LEE
PRIMARY EXAMINER